



# OFFICE OF THE CITY CLERK

BIANCA L. TIRADO, CITY CLERK

## PUBLIC WORKS & PROPERTY VACATION

MAY 28, 2024 5:45 P.M.

Committee Members Present:

Sheila Niezgodski, Karen L. White, Sherry Bolden-Simpson, Jason Piontek, Carl Littrell

Committee Members Absent:

Dr. Oliver Davis

Others Present:

Bianca L. Tirado, Elivet Quijada-Navarro, Matthew Neal, Bob Palmer

Presenters:

Chris Dressel, Andrew Cunningham

Agenda:

*Substitute* Bill No. 20-24 — Amending Ordinance No. Chapter 18, Article 5, of the South Bend Municipal Code

Bill No. 22-24 — Alley Vacation 515 North Hill Street

Members marked with an asterisk (\*) are present digitally

Please note the attached link for the meeting recording:

<https://docs.southbendin.gov/WebLink/browse.aspx?dbid=0&mediaid=382880>

Committee Chair Sheila Niezgodski called to order the Public Works and Property Vacation Committee meeting at 5:45 p.m.

***Substitute* Bill No. 20-24 — Amending Ordinance No. Chapter 18, Article 5, of the South Bend Municipal Code**

Committee Vice Chair Karen L. White motioned to accept *Substitute* Bill No. 20-24, which was seconded by Citizen Member Carl Littrell and carried by a vote of five (5) ayes.

Committee Chair Sheila Niezgodski - <i>Aye</i>	Committee Vice Chair Karen L. White – <i>Aye</i>
Committee Member Dr. Oliver Davis - <i>Absent</i>	Committee Member Sherry Bolden-Simpson – <i>Aye</i>
Citizen Member Jason Piontek - <i>Aye</i>	Citizen Member Carl Littrell - <i>Aye</i>

Chris Dressel, Senior Planner, with offices on the 14<sup>th</sup> floor of the County-City Building, stated that *Substitute* Bill No. 20-24 seeks to update and improve the current Right of Way (ROW) vacation process. Proposed changes to the ROW vacation process include the addition of pre-application review/consultation, updated language, a ninety (90) day expiration date for petition requests following Board of Public Works reviews, and the establishment of evaluation criteria which is to be set by the Board of Public Works. There will be a three hundred dollar (\$300) fee

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Elivet Quijada-Navarro  
DEPUTY/ DIRECTOR OF POLICY

Matthew Neal  
DIRECTOR OF SPECIAL PROJECTS

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for staff processing in addition to the existing one hundred and fifty dollar (\$150) fee. Substitute Bill No. 20-24 would also ensure post-filing verification, require the notification for the entirety of the block containing the proposed vacation, require signatures from all adjacent property owners, ensure staff attends the public hearing process, and require the notification of results to all applicable City departments.

Committee Chair Niezgodski stated that Bill No. 20-24 will clarify the vacation process for residents, asked committee members for comments.

Vice Chair Karen White asked if Bill No. 20-24 will reduce the number of staff.

Chris Dressel stated that the number of staff working on a vacation application could be up to eight (8) people.

Committee Vice Chair White asked if a checklist for the vacation process will be made available for petitioners to help clarify the necessary steps.

Chris Dressel stated that the petitioner will be helped throughout the vacation process to ensure clarity.

Committee Chair Niezgodski stated that a packet is currently kept in the City Clerk’s Office detailing the steps for the vacation process.

Clerk Bianca Tirado stated that the current packet will be updated as the process changes.

Committee Member Sherry Bolden-Simpson asked what the total cost will be for the petitioner.

Chris Dressel answered four hundred and fifty dollars (\$450) in total. There is an existing one hundred and fifty dollar (\$150) publication fee, and the new process will be adding an additional three hundred dollar (\$300) processing fee.

Citizen Member Jason Piontek requested information regarding when the fees would be required.

Chris Dressel stated that the fee does not apply until the formal filing occurs.

Committee Chair Niezgodski held the public hearing, and nobody spoke.

Committee Vice Chair White motioned to send Substitute Bill No. 20-24 to the Committee of the Whole with a favorable recommendation, which was seconded by Committee Member Bolden-Simpson and carried by a vote of five (5) ayes.

Committee Chair Sheila Niezgodski - <i>Aye</i>	Committee Vice Chair Karen L. White – <i>Aye</i>
Committee Member Dr. Oliver Davis - <i>Absent</i>	Committee Member Sherry Bolden-Simpson – <i>Aye</i>
Citizen Member Jason Piontek - <i>Aye</i>	Citizen Member Carl Littrell - <i>Aye</i>

**Bill No. 22-24 — Alley Vacation 515 North Hill Street**

Andrew Cunningham, Jones Petrie Rafinski, with offices at 325 South Lafayette Boulevard, South Bend IN 46601, stated that the proposed alley vacation will facilitate the construction of the University of Notre Dame, Veldman Family Psychology Clinic. The facility will provide mental health resources and a service-delivery center to the South Bend Community.

Citizen Member Carl Littrell asked if there had been cooperation regarding the Notre Dame trail?



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Andrew Cunningham stated that they have spoken with the engineering staff managing the project.

Committee Chair Niezgodski held the public hearing, and nobody spoke.

Committee Member Sherry Bolden-Simpson motioned to send Bill No. 22-24 to the Committee of the Whole with a favorable recommendation, which was seconded by Committee Vice Chair Karen L. White and carried by a vote of five (5) ayes.

Committee Chair Sheila Niezgodski - <i>Aye</i>	Committee Vice Chair Karen L. White - <i>Aye</i>
Committee Member Dr. Oliver Davis - <i>Absent</i>	Committee Member Sherry Bolden-Simpson - <i>Aye</i>
Citizen Member Jason Piontek - <i>Aye</i>	Citizen Member Carl Littrell - <i>Aye</i>

Committee Chair Niezgodski adjourned the Public Works & Property Vacation Committee meeting at 6:13 p.m.

Respectfully Submitted,

Sheila Niezgodski, Committee Chair

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